



Of Counsel:  
Patricia Ann Johnson

Writer's Direct Dial: 703-386-6119

## SHANKS & HERBERT

Intellectual Property  
Attorneys at Law

TransPotomac Plaza  
1033 N. Fairfax Street  
Suite 306  
Alexandria, VA 22314  
Telephone: 703-683-3600  
Facsimile: 703-683-9875

San Diego Office:  
Smith Barney Tower, Suite 300  
4350 La Jolla Village Dr.  
San Diego, CA 92122  
Telephone: 858-597-6688  
Facsimile: 858-597-6682

RECEIVED  
SEP 21 2001  
TECH CENTER 1001/8000

September 19, 2001

Honorable Commissioner of  
Patents and Trademarks  
Washington, DC 20231

Re: U.S. Patent Application  
App. No: 09/513,997 Filed: February 26, 2000  
For: Compositions and Methods for Non-Targeted  
Activation of Endogenous Genes  
Inventors: John J. Harrington, et al.  
**Your Ref.: 5817-7Q**  
Our Ref.: 0221-0003Q

Sir:

Transmitted herewith for appropriate action is a copy of the Information Disclosure Statement filed by Applicants on February 25, 2000. The Examiner has stated in his Office Action of August 23, 2001 that references AC2, AN2 and AO2 were missing. Copies of these references are enclosed for the Examiner's review and consideration.

Applicants respectfully request that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

The Commissioner is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 50-0622.

Respectfully submitted,

SHANKS & HERBERT

By: 

Joseph G. Contrera  
Reg. No. 44,628

JC:sc

Attachments

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Harrington, *et al.*

Appl No.: Not Yet Assigned

Group Art Unit: Not Yet Assigned

For: Concurrently Herewith

Examiner: Not Yet Assigned

COMPOSITIONS AND METHODS FOR NON-TARGETED ACTIVATION  
OF ENDOGENOUS GENES

February 25, 2000

Parent Application

Assistant Commissioner for Patents

Washington, DC 20231

INFORMATION DISCLOSURE STATEMENT  
CITATION UNDER 37 C.F.R. § 1.97

Sir:

Attached is a list of documents on form PTO-1449. It is requested that the Examiner consider these documents and officially make them of record in accordance with the provisions of 37 C.F.R. § 1.97 and Section 609 of the MPEP. By submitting the listed documents, Applicant in no way makes any admission as to the prior art status of the listed documents, but is instead submitting the listed documents for the sake of full disclosure.

All items are attached except those that were supplied in parent Application No. 09/276,820 filed March 26, 1999. Since the benefit of this application was claimed under 35 U.S.C. 120, no copies need to be furnished in accordance with 37 C.F.R. 1.98(d); however, copies will be furnished on request.

Respectfully submitted,



Anne Brown

Registration No. 36,463

## ALSTON &amp; BIRD LLP

Post Office Drawer 34009

Charlotte, NC 28234

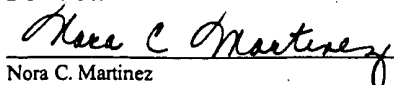
Tel Raleigh Office (919) 420-2200

Fax Raleigh Office (919) 420-2260

"Express Mail" Mailing Label Number EL039496197US

Date of Deposit: February 25, 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Box Patent Application, Assistant Commissioner of Patents, Washington, DC 20231.

  
Nora C. Martinez

RTA01/2074344v1

RECEIVED

SEP 21 2001

TECH CENTER 1600/2900

